

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SDC SDNY  
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UNITED STATES OF AMERICA, :

v. :

CORNELIUS FERNANDEZ BATES, :  
Defendant. :

ORDER

S1 12 CR 497 (VB)

In a motion dated May 20, 2021, and filed on June 2, 2021 (Doc. #22), defendant Cornelius Fernandez Bates seeks a reduction of sentence pursuant to 18 U.S.C. § 3582(c)(1)(A)(i). The government has opposed the motion.

For the following reasons, the motion is without merit and is therefore DENIED.

On April 3, 2013, Bates was sentenced to 63 months' imprisonment (later reduced to 60 months), and four years of supervised release, following his guilty plea to distribution and possession with intent to distribute more than 500 grams of cocaine, and illegally re-entering the United States after having previously been removed. Bates completed the service of his prison sentence on January 20, 2017, and was deported to Jamaica shortly thereafter. His term of supervised release ended no later than January 20, 2021.

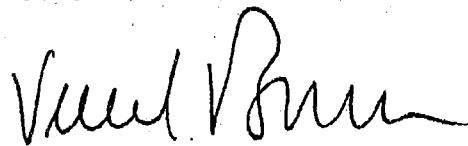
Section 3582(c)(1)(A) applies only to modifying a term of imprisonment, not supervised release. Since Bates has long since completed his term of imprisonment, Section 3582(c)(1)(A) has no application here. Moreover, to the extent Bates is seeking early termination of supervised release, since he has already completed his term of supervised release, that request is moot. Bates's pro se submission appears to suggest that Bates has not yet completed his term of supervised release because he was deported to Jamaica in 2017. That is not correct. His term of supervised release was completed no later than January 20, 2021.

Chambers will mail a copy of this Order to defendant at the following address:

Cornelius Fernandez Bates  
1225 Rancho Frontera  
Calexico, CA 92231

Dated: June 21, 2021  
White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
United States District Judge